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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/242,072 01/14/00 MILLER

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IM52/0308

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EXAMINER

PETER ANTHONY MILLER
SEE STR 27
D 712 LEONBERG
FED REP GERMANY

AIR MAIL

CONTINUED	
ART UNIT	PAPER NUMBER

1724
DATE MAILED:

21

03/08/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

09/242,072

Applicant(s)

Miller

Examiner

Ivars C. Cintins

Group Art Unit

1724



☐ Responsive to communication(s) filed on _____.

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1-20 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-4, 9-13, 15, 16, and 18-20 is/are rejected.

☒ Claim(s) 5-8, 14, and 17 is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☒ None of the CERTIFIED copies of the priority documents have been

☒ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____.

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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Claims 5-8, 14 and 17 are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim must refer to other claims in the alternative only. Accordingly, these claims have not been further treated on the merits.

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-4, 9-13, 15, 16 and 18-20 are rejected as failing to define the invention in the manner required by 35 U.S.C. 112, second paragraph. The claims are narrative in form and contain numerous vague and indefinite expressions. For example, the terms: "such as" (claim 1, lines 2 and 8; and claim 18, line 8), "preferably" (claim 1, line 7; and claim 19, line 4)), "thereby characterized" (claims 1-4, 9, 13, 15 and 16), "vicinity" (claim 1, line 13), "in such a way" (claim 1, line 13), "as well as" (claim 10, line 21), "are used as" (claim 12, lines 1-2), "appropriate" (claim 12, line 3), "first of all" (claim 13, lines 2-3), "Apparatus and method" (claims 15 and 16), "according to the defining preamble" (claim 15, line 1), "are employed" (claim 15, line 5), "known quality" (claim 15, line 7), "such as" (claim 16, line 3), and "choose and implement the supply of the optimal

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filter medium" (claim 16, lines 4-5) are vague, and indefinite as to the limitations intended.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 10-12, 15, 16 and 18-20 are rejected under 35 U.S.C. 102(b) as being anticipated by either Hirs patent (U.S. Patent No. 2,867,325 or 2,867,326). Each reference discloses a liquid filtering apparatus containing a web of filtering media in combination with control means for isolating portions of the filter web during use; and, particularly in view of the indefiniteness of the claims, this is all that appears to be required by claims 10-12, 15, 16 and 18-20.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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Claims 1-4, 9 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Whitney (U.S. Patent No. 2,673,176) in view of either Hirs patent. Whitney discloses a liquid purification system comprising a particulate bed supported on a "porous floor", and further discloses means for regenerating and recycling treatment material. Accordingly, this primary reference discloses the claimed invention with the exception of the recited moveable dependent rim portions. Each of the Hirs patents discloses a filtration system having sealing mechanisms comprising moveable dependent rim portions; and it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the system of the primary reference with the sealing mechanism of either secondary reference, in order to provide improved sealing for the treatment material of this primary reference system.

The disclosure is objected to because the specification fails to contain a brief description of the drawings. Appropriate correction is required.

Bahr (U.S. Patent No. 4,906,369) and Salminen (U.S. Patent No. 5,482,594) disclose similar liquid purification systems.

An examination of this application reveals that Applicant is unfamiliar with patent prosecuting procedure. While an inventor may prosecute the application, lack of skill in this field

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usually acts as a liability in affording the maximum protection for the invention disclosed. Applicant is advised to secure the services of a registered patent attorney or agent to prosecute the application, since the value of a patent is largely dependent upon skillful preparation and prosecution. The Office cannot aid in selecting an attorney or agent.

Applicant is advised of the availability of the publication "Attorneys and Agents Registered to Practice Before the U.S. Patent and Trademark Office." This publication is for sale by the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to I. Cintins whose telephone number is (703) 308-3840. The examiner can normally be reached on Monday through Friday from 9:30 AM to 6:00 PM.

The fax phone numbers for this art unit are: (703) 305-3599 for "Official" faxes after Final Rejection; (703) 305-7718 for all other "Official" faxes; and (703) 305-3602 for "Draft" and other "Unofficial" faxes.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-0661.


Ivars C. Cintins
Primary Examiner
Art Unit 1724

I. Cintins
March 3, 2001